CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

(including 1962 amendments)

PREAMBLE

We, the people of the Turtle Mountain Band of Chippewa Indians of Belcourt, North Dakota, in order to develop and enjoy the advantages of democratic processes and opportunities to promote our general welfare, education, and prosperity, to promote good and law-abiding citizens, do ordain and establish this constitution and bylaws for the Turtle Mountain Band of Chippewa Indians.

ARTICLE I - NAME

Section 1. The name of this organization shall be the Turtle Mountain Band of Chippewa Indians.

ARTICLE II - JURISDICTION

Section 1. The jurisdiction of this organization shall extend to all land on the Turtle Mountain Indian Reservation in the State of North Dakota and to such other lands as may be acquired by or in behalf of said tribe and be added thereto under the laws of the United States.

ARTICLE III - MEMBERSHIP

Section 1. The membership in the Turtle Mountain Band of Chippewa Indians shall consist of:

(a) All persons whose names appear on the roll prepared pursuant to Section 2 of the Act of May 24, 1940 (54 Stat. 219), and approved by the Secretary of the Interior on March 15, 1943.

(b) All descendants of persons whose names appear on the roll defined in Section 1(a) of this article, provided that such descendants possess one-fourth or more Indian blood, and provided further that such descendants are not domiciled in Canada.

Sec. 2. Current Roll. The membership roll shall be kept current by the Secretary of the Interior or his designated representative by

striking therefrom the names of deceased persons and adding thereto the names of persons who qualify for membership under Section 1(b) of this article. A copy of such additions and deletions shall be furnished to the Tribal Council.

Sec. 3. Definition. The word "domicile" as used in this article means a permanent residence.

ARTICLE IV - GOVERNING BODY

Section 1. The governing body shall be the Tribal Council and shall consist of nine members, eight of whom shall be district representatives and one shall be chairman elected by the tribe as a whole, regardless of the districts.

Each district shall also elect, at regular tribal elections, a district sub-council to consult with, make recommendations to and advise the Tribal Council on all matters of local or tribal interest. Such district sub-council shall be composed of three members of the Tribe living within the district for which elected who shall serve without pay. Vacancies on such sub-council shall be filled by the people of the district at the district meeting following occurrence of the vacancy. Any certification by two members of the sub-council shall be deemed to constitute the decision of such sub-council. Sub-council members shall hold office for two years. (Amendment I, approved April 26, 1962.)

Sec. 2. The Tribal Council shall have authority to regulate its own procedures, to appoint a Vice-Chairman from its membership, to act in the absence or disability of the Chairman, to appoint subordinate committees, delegates, and employees not otherwise provided for in the constitution, and to provide tenure and duties; provided that any delegation of authority described in this constitution shall be granted only by written resolution or ordinance and shall be withdrawn in the same manner.

The Sub-Council shall meet with the people of the district for which elected once a month prior to the regular meeting of the Tribal Council, and it shall present the findings and results of any such meeting to the District Councilman to be brought up at the next ~~regular meeting~~ of the Tribal Council. (Amendment II approved April 26, 1962.)

ARTICLE V - NOMINATION AND ELECTIONS

Section 1. All elections shall be by secret ballot and a majority vote shall rule.

Sec. 2. (a) Any enrolled member of the tribe, ~~21~~ 18 years of age or over shall be entitled to vote in any election provided they have resided in the ~~district~~ Rolette County for a period of ~~90~~ 30 days immediately prior to a given election.

(b) All eligible resident voters shall register in the district of their residence as provided by tribal ordinance. All eligible nonresident voters shall register with the district of their former residence or affiliation.

Sec. 3. Absentee ballots shall be furnished to eligible nonresident members upon their request to the Secretary-Treasurer provided that all such ballots shall be returned to the Secretary-Treasurer on or before the date of the election in order that the ballots may be counted.

Sec. 4. (a) A qualified member to be eligible to become a candidate as a district representative or as an officer shall be 25 years of age or over, having resided in the district for any one year.

(b) Eligible candidates shall file their notice of intent to run for office with the Secretary-Treasurer of the Tribal Council, identifying the office for which he is a candidate at least 15 days before the election date. The Secretary-Treasurer shall post a list of eligible candidates at least 12 days before the election in each voting district.

Sec. 5. Tribal elections shall be held the second Monday in May in even numbered years commencing as of May 1962. (Amendment IV, approved April 26, 1962.)

Sec. 6. The Reservation shall consist of 4 districts. The 4 districts are described as follows:

(a) District 1 - Fishlake road East to the town of Rolla and open North and South. Two representatives.

(b) District 2 - Fishlake road West to Rolette road, and open North and South. Two representatives.

(c) District 3 - Rolette road West to Suckerlake road or Moran road, and open North and South. Two representatives.

(d) see amendment IX

(d) District 4 - Suckerlake road or Moran road West to St. Paul Butte, and open North and South. Two representatives.
Subsection (d) amended ~~IX~~, approved 4-3-75

Votes for candidates for district representatives shall be confined to the eligible voters of the district the candidate is to represent.

Sec. 7. District representatives to the Tribal Council shall be elected in even numbered years commencing in the year 1962 and shall hold office for two years and each district shall be entitled to elect two representatives. (Amendment III, approved April 26, 1962.)

ARTICLE VI - OFFICERS AND THEIR DUTIES

Section 1. There shall be the following Tribal officers: A chairman, vice-chairman, and a secretary-treasurer. The chairman shall be elected on a reservation-wide or at large basis for a term of two (2) years or until a successor shall have been elected and qualified. The vice-chairman shall be elected from within the Tribal Council and his only duty shall be to serve as presiding officer of the Council in the absence of the chairman. The secretary-treasurer shall be selected by vote of the Tribal Council and the chairman shall vote on same also if his vote is necessary to break a tie. (Amendment V, approved April 26, 1962.)

Sec. 2. Chairman. He shall preside at all regular and special meetings. He shall vote only in the case of a tie. He shall see that all resolutions and ordinances of the Tribal Council are carried into effect. He shall exercise general supervision of all other officers and employees and see that their respective duties are performed. He shall be the chief executive officer of the tribe.

Sec. 3. Secretary-Treasurer. He shall keep the minutes at the principal office of the Tribal Council of all meetings of the Tribal Council. He shall keep the tribal roll, showing all changes therein as required by this constitution or ordinance duly approved by the Tribal Council. He shall attend to all correspondence, distribution of tribal information or other duties incidental to his office including the reproduction of minutes, resolutions and ordinances and see to their distribution within the deadlines, if there be deadlines. He shall keep and maintain adequate and correct accounts of the properties and business transactions of the Tribal Council. He shall have care and custody of the funds and valuables of the Tribal Council and deposit same in the name of and to the credit of the Band with such depositors as the Tribal Council may direct and which are acceptable to the Area Director. Disburse funds of the Tribal Council as may be ordered by the Tribal Council, taking proper signed invoices,

vouchers or other recordable data. Render to the Tribal Council a monthly statement and report of all his transactions as Treasurer and render also an annual financial statement in the form and with the detail required by the Tribal Council.

ARTICLE VII - TRIBAL COUNCIL PROCEDURES

Section 1. A regular monthly meeting shall be held as set by the Tribal Council. The Chairman or any three members of the Tribal Council may call special meetings.

Sec. 2. A quorum shall consist of 5 members and no business shall be conducted in the absence of a quorum.

Sec. 3. The Tribal Council shall cause to be installed, maintained and audited, a complete and detailed accounting system.

Sec. 4. All officers and employees of the tribe responsible for the safety of property and money shall be bonded in an amount sufficient to insure the tribe from loss.

Sec. 5. The newly elected district representatives (councilmen) and officers shall be installed in office at the first regular meeting of the Tribal Council after certifications of their election have been issued by the Secretary-Treasurer.

Sec. 6. The duties of any and all other officers of employees shall be prescribed by the Tribal Council. At all general or special meetings of the Tribal Council the members of the Tribal Council shall be paid at hourly rates set by resolution of the Tribal Council. All other officers will be paid per month.

ARTICLE VIII - REFERENDUM AND RECALL

Section 1. Upon receipt of a petition by 20 percent of the resident voters, or by an affirmative vote of five members of the Tribal Council any enacted or proposed resolution or ordinance of the Tribal Council shall within 30 days be submitted to a referendum of the eligible voters of the Turtle Mountain Band of Chippewa Tribe. The majority of the votes cast in such referendum shall be conclusive and binding on the Tribal Council and if the resolution or ordinance is rejected by such vote, such resolution or ordinance shall be null and void, as of the date of the referendum, and shall not be reconsidered for a period of at least six months. The Tribal Council shall call such referendum and prescribe the manner of conducting the vote.

Sec. 2. The Tribal Council shall enact ordinances which shall prescribe regulations, charges, and reasons for removal or recall of a district representative or officer. The grounds for removal, right of petition, and other factors shall be carefully framed to protect the interest of the Turtle Mountain Band of Chippewa Indians.

Sec. 3. The Tribal Council by an affirmative vote of the majority shall appoint a replacement to fill any of a district representative or other elected officer, caused by removal, death, or resignation, provided the term of the replacement shall not extend beyond the next regular election regardless of the length of the unexpired term.

In the filling of a vacancy for district councilman, the Tribal Council shall be governed by the sub-council of the district affected, provided such sub-council shall certify a choice to fill the vacancy within 30 days after same occurs. (Amendment VI, approved April 26, 1962.)

ARTICLE IX - POWERS OF THE TRIBAL COUNCIL

The Tribal Council shall exercise the following powers, subject to any limitations imposed by this constitution and bylaws or the laws and regulations of the Federal Government:

(a) Governmental Powers.

Section 1. To represent the Band and to negotiate with the Federal, State, and local governments and with private persons.

Sec. 2. To employ legal counsel, subject to the approval of the Secretary of the Interior, or his duly authorized representative, so long as such approval is required by Federal law.

Sec. 3. To regulate and license where permitted by law all business and professional activities conducted upon the reservation, provided that any assessment upon nonmembers trading or residing within the jurisdiction of the Band shall be subject to review of the Secretary of the Interior, or his duly authorized representative, where required by law.

Sec. 4. To enact ordinances to remove from the reservation persons not legally entitled to reside thereon and whose presence may be injurious to the peace, happiness or welfare of the members of the Band, subject to the review of the Secretary of the Interior, or his duly authorized representative.

Sec. 5. To enact ordinances, subject to the review of the Secretary of the Interior, or his duly authorized representative, governing conduct of the members of the Band and Indians from other tribes on the reservation, providing for the maintenance of law and order and the administration of justice by establishing a police force and a tribal court and defining their powers and duties; and regulating the inheritance of property of the members of the Band except trust land.

Sec. 6. To enact ordinances to provide rules and regulations governing fishing, hunting and trapping on the reservation.

(b) Administrative Powers

Sec. 7. (a) To administer any funds within the control of the Band; to make expenditures from available funds for tribal purposes, including salaries and expenses of tribal officials or employees. All expenditures of tribal funds under the control of the Tribal Council shall be authorized by resolution duly enacted by the Tribal Council in legal session and the amounts so expended shall be a matter of public record to the members of the Band at all reasonable time.

Sec. 8. The Tribal Council of the Band shall prepare annual budget requests for the advancement to the control of the Band such money as now or may hereafter be deposited to the credit of the Band in the United States Treasury or which may hereafter be appropriated for the use of the Band.

Sec. 9. To deposit to the credit of the Band of Chippewa Indians tribal funds, without limitation on the amount in any account, in any approved National or State Bank whose deposits are insured by an agency of the Federal Government; or with a bonded disbursing officer of the United States whenever the conditions prescribed by the Secretary of the Interior, or his authorized representative, in connection with such advances require the advance to be so deposited.

(c) Business Powers

Sec. 10. To manage, lease, permit, or otherwise deal with tribal land, interest in lands and other lands or assets under tribal jurisdiction; and to purchase or otherwise acquire lands, or interest in lands within the Turtle Mountain Reservation, in accordance with law; or dispose of such land, or interest in lands, as authorized by laws.

Sec. 11. To engage in any business that will further the economic well-being of the members of the tribe, or to undertake any programs or projects designed for the economic advancement of the people.

Sec. 12. To borrow money from the Federal Government, or other source, and to direct the use of such funds for productive purposes, or to loan the money thus borrowed to members of the tribe, with the approval of the Secretary of the Interior, or his authorized representative.

Sec. 13. To pledge or assign chattel or future income due or to become due, provided such agreement, pledge, assignment or extension thereof shall be subject to the approval of the Secretary of the Interior, or his authorized representative.

Sec. 14. To make and perform contracts and agreements of every description, not inconsistent with law or the provisions of this constitution and bylaws, provided that any contract shall be subject to the approval of the Secretary of the Interior, or his authorized representative.

ARTICLE X - FUTURE AND RESERVED POWERS

Section 1. The Tribal Council may exercise such powers as may in the future be granted to the Council by members of the Turtle Mountain Band or the Secretary of the Interior or by any other duly authorized official or agency of the Federal Government, provided such power is accepted by the tribe by appropriate amendment of this constitution.

Sec. 2. Any right of power heretofore vested in the Turtle Mountain Band of Chippewa Indians, but not expressly referred to in this constitution, shall remain in the Band, and may be exercised by the Turtle Mountain Band of Chippewa Indians or by the Tribal Council through the adoption of appropriate constitutional amendment if that be the wishes of the people.

ARTICLE XI - MANNER OF REVIEW

Section 1. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior shall within 10 days of its enactment be presented to the Superintendent of the Turtle Mountain Agency who shall within 10 days after its receipt by him approve or disapprove it.

Sec. 2. If the Superintendent approves any resolution or ordinance, it shall thereupon become effective, but the Superintendent shall transmit the enactment bearing his endorsement to the Secretary of the Interior, who may, within 90 days of the date of its enactment

rescind the resolution or ordinance for any cause by notifying the Turtle Mountain Tribal Council of his veto.

Sec. 3. If the Superintendent disapproves any resolution or ordinance, he shall within 10 days after its receipt by him advise the Tribal Council of his reasons therefor, and if these reasons appear to the Council insufficient, it may, by vote of the five members, refer the resolution or ordinance to the Secretary of the Interior, and if approved by him in writing it shall become effective.

ARTICLE XII - ADOPTION

Section 1. (a) This revised constitution, when adopted by a majority vote of the tribal members voting at a special meeting called by the Secretary of the Interior, shall be submitted to the Secretary of the Interior, and shall be in full force and effect from the date of such approval.

ARTICLE XIII - AMENDMENT

Section 1. This constitution and bylaws may be amended by a majority of the qualified voters of the Turtle Mountain Band of Chippewa Indians at an election called for that purpose; provided that at least 20 percent of the resident voters of the tribe entitled to vote shall vote in such election, but no amendment shall become effective until it shall have been approved by the Secretary of the Interior or his delegated representative.

Sec. 2. It shall be the duty of the Tribal Council to call such election on any proposed amendment upon receipt of a petition signed by 20 percent of the qualified resident voters of the tribe or the Tribal Council may call such an election by an affirmative vote of five members of the Tribal Council.

APPROVAL

I, Fred G. Aandahl, Assistant Secretary of the Interior of the United States of America, as required in Article XII, Section 1 of the Revised Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians of North Dakota hereby approved said document to be effective on the date of this approval.

Approval recommended:

(Sgd.) Glenn L. Emmons

Commissioner of Indian Affairs

(Sgd.) Fred G. Aandahl
Assistant Secretary of the Interior
(SEAL)

Washington, D. C.

June 16, 1959

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT VII

Amendment I to Section 1 of Article IV, GOVERNING BODY, is hereby repealed as follows:

> Each district shall also elect, at regular tribal elections, a district sub-council to consult with, make recommendations to and advise the Tribal Council on all matters of local or tribal interest. Such district sub-council shall be composed of three members of the tribe living within the district for which elected who shall serve without pay. Vacancies on such sub-council shall be filled by the people of the district at the district meeting following occurrence of the vacancy.
>
> Any certification by two members of the sub-council shall be deemed to constitute the decision of such sub-council. Sub-council members shall hold office for two years.

Amendment II to Section 2 of Article IV, GOVERNING BODY, is hereby repealed as follows.

> The sub-council shall meet with the people of the district for which elected once a month prior to the regular meeting of the Tribal Council, and it shall present the findings and results of any such meeting to the District Councilman to be brought up at the next regular meeting of the Tribal Council.

Amendment VI to Section 3 of Article VIII, REFERENDUM AND RECALL, is hereby repealed as follows:

> In the filling of a vacancy for district councilman, the Tribal Council shall be governed by the sub-council of the district affected, provided such sub-council shall certify a choice to fill the vacancy within 30 days after same occurs.

Certificate of Results of Election

Pursuant to an election authorized in accordance with Article V of the Tribal Constitution and By-laws of the Turtle Mountain Chippewa Tribe, an unincorporated Band of Chippewa Indians, and Title 13, Elections and Recall of the Turtle Mountain Tribal Code, the attached*amendment #3 to the Constitution and By-Laws was submitted to the qualified voters of the tribe and was on May 13, 1974 adopted by a vote of 752 for and 640 against in an election in which 20% of the 2904 members entitled to vote cast their ballots in accordance with Title 13 of the Turtle Mountain Tribal Code.

Fred Schindler, Chairman
Reservation Election Board

Helen Gunville, Member
Reservation Election Board

Joyce Decoteau, Member
Reservation Election Board

*Renumbered to: Amendment VII

APPROVAL

I, Harley D. Zephier, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM 3.1, hereby approve the attached Amendment No. VII, which repeals Amendment I to Section 1 of Article IV, Governing Body; Amendment II to Section 2 of Article IV, Governing Body; and Amendment VI to Section 3 of Article VIII, Referendum and Recall, of the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians.

(Sgd.) [illegible]
Acting Area Director

Date: MAR 3 1975

Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT VIII

Section 2(a) of Article V, NOMINATIONS AND ELECTIONS, shall be amended to read as follows:

> Sec. 2(a). Any enrolled member of the Tribe, 18 years of age or over shall be entitled to vote in any election provided he has resided in Rolette County a period of 30 days immediately prior to a given election.

Certificate of Results of Election

Pursuant to an election authorized in accordance with Article V of the Tribal Constitution and By-Laws of the Turtle Mountain Chippewa Tribe, an unincorporated Band of Chippewa Indians, and Title 13, Elections and Recall of the Turtle Mountain Tribal Code, the attached * amendment #1 to the Constitution and By-Laws was submitted to the qualified voters of the tribe and was on May 13, 1974 adopted by a vote of 965 for and 600 against in an election in which 20% of the 2904 members entitled to vote cast their ballots in accordance with Title 13 of the Turtle Mountain Tribal Code.

Fred Schindler, Chairman
Reservation Election Board

Helen Gunville, Member
Reservation Election Board

Joyce Decoteau, Member
Reservation Election Board

*Renumbered to: Amendment VIII

APPROVAL

I, Harley D. Zephier, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM 3.1, hereby approve the attached Amendment No. VIII, which amends Section 2 (a) of Article V, Nominations and Elections, of the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians.

Acting Area Director

Date: [illegible]

Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT IX

Section 6 of Article V, NOMINATIONS AND ELECTIONS, shall be amended by adding the following which shall be the last paragraph of Subsection (d):

> Within three months after each general election, the Tribal Council will convene at the call of the Chairman, as a redistricting board, and redesignate the boundaries of the 4 districts by majority vote, so that the districts shall be as regular and compact in form as practicable and as substantially equal in eligible voters as possible. A map of Rolette County, North Dakota shall then be prepared by the Tribal Secretary with the boundaries of the 4 districts drawn thereon, which map shall then be certified to by the Tribal Chairman and the Tribal Secretary and kept on file in the Office of the Tribal Secretary with a copy thereof posted in the Tribal Office.

Certificate of Results of Election

Pursuant to an election authorized in accordance with Article V of the Tribal Constitution and By-Laws of the Turtle Mountain Chippewa Tribe, an unincorporated Band of Chippewa Indians, and Title 13, Elections and Recall of the Turtle Mountain Tribal Code, the attached * amendment #2 to the Constitution and By-Laws was submitted to the qualified voters of the tribe and was on May 13, 1974 adopted by a vote of 829 for and 565 against in an election in which 20% of the 2904 members entitled to vote cast their ballots in accordance with Title 13 of the Turtle Mountain Tribal Code.

Fred Schindler, Chairman
Reservation Election Board

Helen Gunville, Member
Reservation Election Board

Joyce Decoteau, Member
Reservation Election Board

*Renumbered to: Amendment IX

APPROVAL

I, Harley D. Zephier, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM 3.1, hereby approve the attached Amendment No. IX, which amends Section 6 of Article V, Nominations and Elections, of the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians.

(Sgd) [illegible]

Acting Area Director

Date: APR 8 1975

Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT XVI

ARTICLE VI, Section 2, is amended to read as follows:

Chairman. He shall preside at all regular and special meetings. He shall vote only in the case of a tie. He may veto any resolution or ordinance that is passed by the tribal council members, however, he must provide a written rationale for the veto. Such vetoed resolution or ordinance must then be presented for a reconsideration vote of the tribal council at the next regularly scheduled meeting, but no later than thirty (30) days after the veto. Should the resolution or ordinance fail to pass with at least five (5) affirmative votes or in the event the Tribal Council fails to reconsider the vote within the required thirty (30) day time period, such resolution or ordinance shall be deemed vetoed and may not be reconsidered for ninety (90) days. The Chairman shall see that all resolutions and ordinances of the Tribal Council are carried into effect. He shall exercise general supervision of all other officers and employees and see that their respective duties are performed. He shall be the Chief Executive Officer of the Tribe.

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

P.O. BOX 900
BELCOURT, NORTH DAKOTA 58316

(701) 477-5198
FAX: (701) 477-6836

I, Wannetta Bennett, Chairperson of the Tribal Election Board do hereby certify that the tabulation of votes cast on November 8, 1994 at Large are as follows:

TRIBAL CHAIRMAN

Richard J. LaFromboise	745
Berry J. Poitra	476
Robert Bob Lattergrass Jr.	343
Raymond Roy Houle	108
Beverly May	380
Fred Pops Monette	233
Twila Martin-Kekahbah	1409
Ray Parisien	789

TOTAL NO. VOTERS: 4,702

CHIEF JUDGE

Richard Frederick	1358
Ella Mae LaRocque	507
Victor DeLong	290
Betty Laverdure	510
Janice Morley	999
Ernest Patnaude	811

ASSOCIATE JUDGE

Francis Morin	2174
Julie Peltier	698
Kenneth JD Davis	860
Rebecca Albertson	447

CLERK OF COURT

Yvette LaFloe	1962
Shirley McCloud	1171
Sharon Parisien	1230

Wannetta Bennett
Wannetta Bennett, Chairperson
Tribal Election Board

AMENDMENTS	1	2	3	4	5	6	7	8	REFERENDUM
YES	1396	1778	2656	2033	2980	2649	1959	1677	1472
NO	2775	2439	1541	2007	810	1048	1760	1871	2156

APPROVAL

I, Donald E. Whitener, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM Bulletin 13, as extended by Bulletin No. 9409, hereby approve, effective February 3, 1995, the attached Amendment No. XVI (proposed Amendment No. 3 on the November 8, 1994, ballot) to the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians. By this action, the February 23, 1995, approval of Amendment XVI is vacated.

Acting Area Director

Date: 2-27-95
Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT XVII

ARTICLE XIV, Section 6 (a), is amended to read as follows:

This section shall establish a Judicial Board that shall consist of the following voting members:
(i) one lay person from each district; and
(ii) one lay person elected at large who shall serve as the Chairperson of the Judicial Board; and
(iii) one member of the Turtle Mountain Tribal Council; and

the following non-voting advisors:
(iv) two attorneys; and
(v) one member of the Turtle Mountain Judicial Branch.

The lay members of the Judicial Board must be enrolled members of the Turtle Mountain Tribe residing within the district he/she represents and must not serve in any tribal elective or appointive position. Attorneys must be licensed in the Turtle Mountain Tribal Court and be members in good standing with any state or federal court.

APPROVAL

I, Donald E. Whitener, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM Bulletin 13, as extended by Bulletin No. 9409, hereby approve, effective February 3, 1995, the attached Amendment No. XVII (proposed Amendment No. 6 on the November 8, 1994, ballot) to the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians. By this action, the February 23, 1995, approval of Amendment XVII is vacated.

Donald E. Whitener

Acting Area Director

Date: 2-27-95

Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT XVIII

ARTICLE V, Section 6, is amended to read as follows:

Votes for candidates for district representatives shall be cast at large. Eligible voters may vote for two (2) representatives from each of the four (4) districts for a combined total of eight (8) votes cast.

RECEIVED 11/02 TR BIA

Tribal Government Services

OCT 26 1990

Through: Superintendent, Turtle Mountain Agency

Twila Martin-Kekahbah, Chairperson
Turtle Mountain Band of Chippewa
Belcourt, North Dakota 58316

Dear Ms. Martin-Kekahbah:

We have reviewed the results of the Turtle Mountain Band's constitution amendment election held on May 14, 1990. Enclosed is a certification of approval for Amendment X.

This office was initially concerned about the manner in which the amendments were presented to the voters in that the actual amendment language did not appear on the ballot. The Superintendent has since provided documentary evidence that the voters, in voting for Amendment No. 2, had an awareness that it was Section 10 of Article IX which would be changed as shown in Resolution No. 4219-07-90. The same language was part of a December 5, 1989, amendment effort which failed because of an insufficient voter turnout. Additionally, the Superintendent assured us that the amendment language was the subject of several public meetings and reservation-wide publicity.

As a result of the above, the amendment language in Resolution No. 4219-07-90 was determined acceptable. To avoid similar problems in the future, we recommend that any constitution amendment language appear on the ballot. Thank you for your cooperation.

With respect to proposed Amendment No. 1, this is to formally acknowledge that the voters rejected this proposal by a vote of 1,602 for, 2,125 against. The proposed amendment dealt with moving the tribal general election from May to November in 1992.

Sincerely,

(Sgd) Jerry L. Jaeger

Area Director

cc: Superintendent, Turtle Mountain Agency

Deputy to the Assistant Secretary - Indian Affairs
(Tribal Services)
Attn: Chief, Branch of Tribal Government Services
Mail Code 440, Main Interior Building, Mail Stop 4627
Bureau of Indian Affairs

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

TURTLE MOUNTAIN TRIBAL OFFICE

P.O. BOX 900
BELCOURT, NORTH DAKOTA 58316 (701) 477-6451

COMPLETE TABULATIONS FOR TRIBAL CHAIR AND AMENDMENTS

DISTRICT:	1	2	3	4	TOTAL
COMPLETE TOTAL:					
Twila Martin-Kekahbah	589	307	323	135	1,354
Richard 'Tonto' Frederick	331	271	177	225	1,004
Peter F. Marcellais	30	30	14	7	81
Gregory H. LaVallie	83	53	180	80	396
Gaillord J. Peltier	102	89	219	478	888

COMPLETE TABULATION OF AMENDMENTS 1 & 2

AMENDMENT #1	
YES	1602
NO	2125
AMENDMENTS #2	
YES	2857
NO	837

COMPLETE TOTAL NUMBER VOTING: 3991

I certify the above is correct.

Fred W. Schinder, Sr.

Fred W. Schinder, Sr., Chairman
Tribal Election Board

APPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted to me by 10 BIAM 3.1, hereby approve the attached Amendment No. X, which amends Section 10 of Article IX, Powers of the Tribal Council, of the Constitution and Bylaws of the Turtle Mountain Band of Chippewa Indians.

(Sgd) Jerry L. Jaeger
Area Director

Date: OCT 25 1990

Aberdeen Area Office
Aberdeen, South Dakota

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
NORTH DAKOTA

AMENDMENT X

Section 10 of Article IX, POWERS OF THE TRIBAL COUNCIL, shall be amended to read as follows:

> Section 10. To manage, lease, permit, or otherwise deal with Tribal Land, interest in lands and other lands or assets under tribal jurisdiction; and to purchase or otherwise acquire lands, or interest in lands within and outside the Turtle Mountain Reservation, in accordance with law; or dispose of such land, or interest in lands, as authorized by laws.